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THE REALIZATION OF ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Human rights and extreme poverty

Report of the Secretary-General

Addendum

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I. COMMENTS RECEIVED FROM GOVERNMENTS

[6 May 1991]
[Original: English]

The Permanent Mission of Brunei Darussalam has the honour to inform the Centre for Human Rights that the Government of His Majesty the Sultan and Yang Di-Pertuan of Brunei Darussalam has always been responsible for the welfare of its people and, hence, there is no poverty in this country. Concerning the question on "exclusion from society", this has not occurred in Brunei Darussalam since this country still practises the traditional concept of helping and cooperating with one another.

II. COMMENTS RECEIVED FROM INTERGOVERNMENTAL ORGANIZATIONS

[6 May 1991]
[Original: French]

1. The Commission of the European Communities would like to describe the principal measures taken by the European Community to combat poverty and exclusion from society within the Community.

2. The Treaty of Rome, which established the European Economic Community (EEC), did not vest the Community with any competence with regard to human rights as such. However, in the preamble to the Treaty, the member States affirm that the essential objective of their efforts is "the constant improvement of the living and working conditions of their peoples", and their action is, in particular, based on the "fundamental rights recognized in the ... Convention for the Protection of Human Rights and Fundamental Freedoms" (preamble to the Single European Act).

3. Furthermore, a whole title of the EEC treaty, followed up by the Single European Act, provides a legal basis for a Community social policy whose main focus is on the social rights of workers (arts. 117 to 128 inclusive).

4. The adoption of the Single European Act (1986) and of the Community Charter of Fundamental Social Rights for Workers (December 1989) gave a new impetus to the social activities of the Community as it moves towards the single market.

5. Accordingly, and bearing in mind the need to maintain economic and social cohesion, the Community has committed itself to more consistent monitoring of the evolution of the phenomenon of poverty and the policies designed to deal with it and to more intensified efforts by its members, both collectively and individually.

6. In the sphere of social protection, section 10, paragraph 2, of the Community Charter stipulates that "persons who have been unable either to enter or to re-enter the labour market, and have no means of subsistence, must be able to receive sufficient resources and social assistance in keeping with their situation". To promote the implementation of these provisions, the Commission has included two legal instruments of particular interest to the

underprivileged in its Action Programme relating to the implementation of Community Charter of Fundamental Social Rights for Workers, namely two recommendations, which are at an advanced stage of preparation, and which the Commission intends to submit to the Council during 1991.

7. The purpose of these recommendations is to provide the poorest members of society with a guarantee of sufficient resources, out of a concern for solidarity.

8. All these measures in fact constitute an essential component of the fight against social exclusion in the Community. As processes of social exclusion are developing in several fields and affecting a variety of population groups, on 29 September 1989 the Council and the Ministers for Social Affairs, meeting within the Council, adopted a resolution on the fight against social exclusion. The objective of the resolution is to improve access to rights (to employment, to housing, etc.) for the poorest groups, through action undertaken by individual countries or coordinated at the Community level. The fight against social exclusion could be regarded as a significant part of the social dimension of the internal market.

9. However, as the Commission is responsible for analysing and reporting on the action taken by member States, in 1990 it set up a unit to monitor policies to combat poverty and social exclusion, which will produce a report in the first half of 1991.

10. Other specific Community activities are based on the principle of solidarity and seek to achieve the economic and social integration of the underprivileged by trying out model anti-poverty schemes and innovative measures in practice and by organizing with the exchanges of experience and knowledge. These activities are carried out within the framework of or parallel to, the "poverty/3" programme, covering the period 1990-1995. This programme is governed by the principles of integration, partnership and solidarity. It continues and expands the measures adopted within the framework of the second Community programme to combat poverty (1985-1989). The objective of this type of complementary initiative is to optimize the efforts of member States, which are directly responsible for combating poverty.

11. Lastly, the final report of the second Community programme to combat poverty proposes guidelines for coherent and comprehensive policies for the fight against poverty at all levels of the Community.

12. However, the harmonious development to which Europe aspires within its frontiers also implies solidarity with all other nations, and first and foremost with the poorest countries.

13. This is an appropriate point to recall certain measures or elements of Community policy on development cooperation that reflect the spirit of solidarity demonstrated by the European Community towards particularly destitute or socially-excluded groups of the population:

(a) As regards assistance to refugees and displaced persons, the Community cooperates with those organizations that assist such persons in

difficult and precarious circumstances (for example, the Office of the United Nations High Commissioner for Refugees, the International Committee of the Red Cross, etc.). Thus the Commission contributed over 1 billion ECUs to such activities between 1984 and 1990, and its annual expenditure has averaged about 200 million ECUs in recent years. Refugee aid programmes cover all continents. Mention may be made, for example of the educational and material aid for Lebanon, and action taken in conjunction with UNRWA.

(b) Food aid and aid in special circumstances (emergencies, natural disasters, conflicts); together these account for no less than 26 per cent of total Community expenditure on cooperation (1988).

Food aid is a traditional instrument used by the Community. It reflects very well the Community's solidarity with the most destitute, who are struggling for survival and whose basic needs (food) cannot be met locally.

The Community can also provide emergency aid, which it can make available rapidly. Thus, recently, following the informal European Council held on 8 April 1991 in Luxembourg, the European Community and its 12 member States decided to grant 150 million ECUs in special aid for refugees and displaced persons in Iraq, and in particular, the Kurds.

(c) Apartheid, which constitutes the most developed form of discrimination and social exclusion (being prescribed by law) has been the subject of frequent condemnation, in particular in statements by the European Commission, and also as in a joint declaration annexed to the Fourth Lomé Convention, in which the Contracting Parties proclaim their determination to work effectively for the eradication of apartheid which constitutes a violation of human rights and an affront to human dignity.

In 1988 the Community allocated 25.5 million ECUs to non-governmental organizations providing South African blacks with social, economic and cultural assistance, in pursuance of the coordinated programme launched by the Council of assistance by the Community and its member States to the victims of apartheid.

14. More generally, the Commission has recently begun to give thought to the question of "human rights, democracy and development cooperation policy". The results of its thinking were reflected in a communication of 25 March 1991 to the Council and to the European Parliament.

15. The document states, in particular, that in its relations with developing countries, the Community will give prioritity to fundamental human rights (whether civil, political, economic, social or cultural), as such rights are universal and are wholly independent of any particular type of society. The Community will so far as possible favour positive action to support and promote these rights. There are moreover certain important elements that have come to occupy a central position in the Community's most recent documents and practice in the sphere of cooperation; the following examples may be cited:

The central position of man as agent and beneficiary of development;

Satisfaction of people's basic needs and development of human resources;
Human rights.

16. Thus, just recently, at the seventh San Jose ministerial meeting in Managua on 18 and 19 March 1991 (political dialogue and economic cooperation between the Community and its member States and the countries), of Central America and a number of Latin American countries attended by Mr. Matutes, a member of the Commission, the ministers agreed to establish, in close cooperation with other existing competent bodies, programmes spread over several years for the promotion of human rights in Central America. These programmes will be aimed first of all at members of the police and security forces and staff of the judicial system.

17. The above considerations show that the Community is concerned with the problems of poverty and social exclusion, which take extremely diverse forms on its territory, but also beyond its frontiers.

18. The philosophy underlying its action is respect for the fundamental rights of man and for human dignity.

19. Lastly, within the Community, the Commission's aim to progress along the path of innovation, complementary policies and partnership in order to achieve the involvement of all European citizens in the building of a Europe that is economically and politically stronger, but also more just and marked by a greater sense of common cause, a Europe that is characterized by solidarity. As far as the world outside is concerned, the Community is and will continue to be a partner that pays constant attention to the observance and promotion of human rights and to the economic and social integration of all individuals as participants in development, which is itself a source of stability, progress and well-being for societies, wherever they may be.